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Attorney Docket 058951-0172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. Troy WEEKS et al.

Title: Refined Plant Transformation

Appl. No.: 10/667,145

Filing Date: 09/22/2003

Examiner: June Hwu

Art Unit: 1661

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits. Therefore no fee is believed to be due.

RELEVANCE OF EACH DOCUMENT

Documents C1-C7 were cited in a partial search report in a related European application. All of the documents are in English. A copy of the European partial search report is also enclosed.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

May 8, 2006

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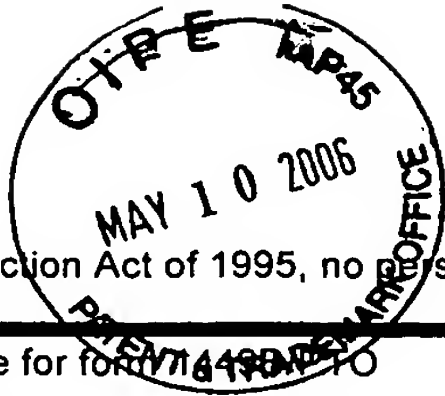
By

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MODIFIED PTO/SB/08 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: <u>May 10, 2006</u> (use as many sheets as necessary)				Complete if Known	
				Application Number	10/667,145
Sheet 1 of 4				Filing Date	09/22/2003
				First Named Inventor	J. Troy WEEKS et al.
				Group Art Unit	1661
				Examiner Name	June Hwu
				Attorney Docket Number	058951-0172

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	D1	5,482,852	A	Yodar et al	01/09/1996	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	D2	WO	98/56932	A	Shell Internationale Research Maatschappij BV.	12/17/1998		
	D3	WO	01/44482	A	Cropdesign N.V.	06/21/2001		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	D4	De Buck <i>et al.</i> , "T-DNA vector backbone sequences are frequently integrated into the genome of transgenic plants obtained by Agrobacterium-mediated transformation", <i>Mol. Breeding</i> , vol. 6, no. 5, Oct. 2000, pp. 459-468.		
	D5	Hanson et al, "Simple Method to Enrich an Agrobacterium-Transformed Population for Plants Containing Only T-DNA Sequences", <i>Plant Journal</i> , vol. 19, no. 6, Blackwell Scientific Publications, Oxford, GB, 1999, pp. 727-734.		
	D6	Rohini et al, "Embryo transformation, a practical approach for realizing transgenic plants of safflower , <i>Annals of Botany (London)</i> , vol. 86, no. 5, Nov. 2000, pp. 1043-1049.		
	D7	Weeks et al., "Wheat transformation using cyanamide as a new selective agent", <i>Crop Science</i> , vol. 40, no. 6, Nov. 2000, pp. 1749-1754.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.